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C O N F I D E N T I A L SECTION 01 OF 03 THE HAGUE 002114

SIPDIS

DRL FOR PDAS SOUTHWICK

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TAGS: PHUM BM CG TH CH ZI CU NL UNHRC UNGA

SUBJECT: PDAS SOUTHWICK DISCUSSES HUMAN RIGHTS IN THE HAGUE

REF: A. THE HAGUE 1857

1B. THE HAGUE 230

Classified By: PolOff Nathaniel Dean Reasons 1.5 (b) and (d)

1. (C) Summary: DRL PDAS Michael Southwick met with Dutch interlocutors on August 18 to discuss US-led and multilateral efforts in the field of human rights. The Dutch exchanged EU goals for the UNGA 3rd committee as well as thoughts on Cuba, CHR WEOG rotation scheme, and US-EU cooperation on human rights. PDAS Southwick stressed the importance of the Communities of Democracies program, noting the need for increased international support. End Summary.

3rd Committee: Country Resolutions, Violence Against Women  
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2. (C) Jan Berteling, MFA Director for Human Rights and Peacebuilding, and his staff outlined EU plans for the UN 3rd Committee for PDAS Southwick. The EU will put forth a resolution on Burma; a decision on a special CHR session on Burma has not been made. (Note: PDAS Southwick noted US concern about Thai pressure on Burmese dissidents and human rights activists seeking refuge in Thailand. End Note.) The EU will also sponsor a resolution on the DRC. EU members have yet to make a formal decision on an Iran resolution. The Dutch remain hopeful that the EU will decide favorably; support among members is much greater now than it was at this time last year. However, Berteling voiced some concern that the Italians might work to block an EU effort if Iran produces EU-desired results by signing an additional protocol under the IAEA.

3. (C) Berteling was curious if the U.S. would take action in the 3rd committee on Zimbabwe, China, and North Korea. PDAS Southwick commented that the U.S. is giving consideration to sponsoring a Zimbabwe resolution. Both Southwick and Berteling agreed that the situation continues to worsen. If the U.S. does sponsor, Berteling stated that the EU will likely support a resolution; however, some doubts remain as to whether or not the EU could find consensus on the topic. In the event that the EU cannot support, the Dutch will/will support a U.S. resolution on their own. Noting reports that some EU countries believe that there is not enough burden sharing between the EU and the US on resolutions, PDAS Southwick said more thought is being given to the US taking the lead. The successful US-sponsored Belarus resolution in the CHR shows that US leadership is not necessarily a liability.

4. (C) On China, PDAS Southwick commented that the U.S. is actively reviewing the human rights situation, but that no decision to put forth a resolution has been made. On North Korea, PDAS Southwick noted that the U.S. will carefully review the status of the complex multilateral political discussions before considering any resolution for the 3rd committee.

5. (C) The Dutch announced that the EU will sponsor a resolution on Violence Against Women, and would like U.S. support. To this end, the Dutch provided a draft copy (emailed to DRL and IO for action), asking for U.S. comments. The EU will discuss the text in consultations in New York in September. Berteling outlined that the Dutch anticipate some difficulty with this resolution, particularly from OIC countries such as Pakistan and Egypt. The GoNL would also be forced to vote against any amendment clauses that oppose prostitution, which undoubtedly other countries will propose. (Note: Prostitution is legal in the Netherlands. End Note.) PDAS Southwick said a major concern for us would be how CEDAW is treated since the US has not ratified that treaty. Berteling said the reference would follow agreed upon formulas.

No EU resolution on Sudan  
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6. (C) Having just completed a visit to Khartoum, PDAS Southwick outlined the appalling human rights situation in country. Berteling said that despite the GoNL's belief that situation in country warrants a 3rd committee resolution, the EU will not put one forth. (Note: At a recent EU meeting on HR, Sudan was not even mentioned.) The Dutch, who quietly

drafted the EU's Sudan resolution at the last CHR, are behind this non-action. The GoNL is acting as a mediator in the peace process and the post-peace donor process, and believes it would be detrimental to Dutch efforts to draft and/or put forth a document berating the warring parties. PDAS Southwick noted the U.S. will consider sponsoring if there is no success in the peace process.

#### Cuba - CHR and Guantanamo

17. (C) The Dutch remain concerned about the status of noncombattants in Guantanamo Bay. The MFA receives regular inquiries from Parliament as to the status of the prisoners and due process. While the Dutch are supportive of the U.S., the GoNL is finding it more and more difficult to defend the USG without additional information. PDAS Southwick offered to get clearance to share a document recently sent to Geneva, which outlines in detail the U.S. position to date. PDAS pointed out that the US position is more thoughtful and responsive to treaty concerns than is sometimes alleged. This somewhat placated Dutch concerns. (Note: Foreign Minister de Hoop Scheffer has promised Parliament to continue discussions with the U.S. on this matter. To date, the Dutch have raised Guantanamo in every discussion on human rights in the past year. End Note.)

18. (C) Berteling stated that the GoNL was disappointed by the CHR Cuba resolution. He said it was too weak, and the EU considered voting against it. PDAS noted that the resolution could have been stronger, but that it was nevertheless a victory. The Dutch noted that bilateral relations with Cuba are at a low point. (Note: Two local GoNL-sponsored NGOs announced this week that they will no longer fund artist group Biennale of Havana out of protest of the Cuban government's crackdown in March. End Note.)

#### WEOG Rotation Scheme for the CHR

19. (C) Karel van Kesteren, Director of the MFA's UN and IFI Department, and PDAS Southwick reviewed reasons for the failure of CHR WEOG rotation scheme efforts earlier this year. Van Kesteren understood the reluctance by some larger countries to give up too many seats, and stated that he did not feel the U.S. needed to and/or should have done so. However, despite the failure, van Kesteren would like again pursue this idea. He believes a rotation scheme is vital to ensuring the strength of the WEOG group in the CHR. Van Kesteren envisions larger WEOG members finding consensus on numbers, followed by consultations with medium-sized countries, and finally dictating a solution to small states and micro-states. Van Kesteren emphasized that negotiations would need to take place in capitals, not New York, for there to be any chance of success. PDAS Southwick agreed to relay van Kesteren thoughts to the Department, noting that his consultations with the French in Geneva at the CHR led him to believe that the French would never consider giving up more than one year in a rotation scheme.

#### Community of Democracies

10. (SBU) PDAS Southwick stressed the importance of the Community of Democracies (CD) initiative, highlighting that the seeds of democracy can grow in areas where it is traditionally vacant, such as Latin America. He described a successful meeting of African and Latin American CD members in Miami earlier this year. While the initiative is not yet strong, PDAS Southwick urged the Dutch to seek ways to support it. He noted that Italy is supportive, driven by substantial interest in the Radical Party. Berteling is not convinced of the value of CD and said that there was no interest in CD in the Dutch parliament. He has not seen any strength emanating from CD, and is doubtful of the usefulness of the initiative. He also wondered how this initiative will fare when there are so many other democracy programs globally, highlighting the International Conference of New or Restored Democracies as one example. PDAS Southwick emphasized an important difference of CD, namely that countries must be invited to join. If CD gains enough global support, those on the "outside" may feel pressure to be included via democratic reform within their countries. Berteling is open to the principles and ideals of CD, and the GoNL will "wait and see" as it progresses. The GoNL would support an UNGA resolution, but it will not work to champion CD internationally at present.

#### US-EU Cooperation

11. (C) PDAS Southwick thanked Berteling for both Dutch and EU cooperation in advance of the 59th CHR. Both agreed that timely efforts and discussions resulted in the highest-level

of US-EU cooperation in years. Nevertheless, the Dutch offered several ways in which cooperation could be improved:

--An increased amount of burden-sharing on country-specific resolutions. The EU would particularly appreciate support on Turkmenistan and Chechnya;

--Earlier signals that the U.S. will support EU sponsored-resolutions;

--Greater cooperation in lobbying capitals. US and EU could be more effective if we worked together to coordinate our approach, particularly in Africa. The Dutch acknowledge that their own efforts in capitals needed to be beefed up.

12. PDAS Southwick has cleared this cable.  
SOBEL